

Supreme Court of the  
United States

October Term, 2002

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HEARING LIST

For the Session Beginning  
March 24, 2003

**THE JUSTICES AND THE JUDICIAL CIRCUITS  
TO WHICH THEY ARE ASSIGNED**

HON. WILLIAM H. REHNQUIST, Chief Justice, Fourth,  
District of Columbia and Federal Circuits.

HON. JOHN PAUL STEVENS, Associate Justice, Sixth  
and Seventh Circuits.

HON. SANDRA DAY O'CONNOR, Associate Justice, Ninth  
Circuit.

HON. ANTONIN SCALIA, Associate Justice, Fifth Circuit.

HON. ANTHONY M. KENNEDY, Associate Justice, Elev-  
enth Circuit.

HON. DAVID H. SOUTER, Associate Justice, First and  
Third Circuits.

HON. CLARENCE THOMAS, Associate Justice, Eighth  
Circuit.

HON. RUTH BADER GINSBURG, Associate Justice, Sec-  
ond Circuit.

HON. STEPHEN BREYER, Associate Justice, Tenth  
Circuit.

**OFFICERS OF THE COURT**

WILLIAM K. SUTER, Clerk.

FRANK D. WAGNER, Reporter of Decisions.

PAMELA TALKIN, Marshal.

SHELLEY L. DOWLING, Librarian.

## NOTICE TO COUNSEL

1. The Clerk timely informs counsel as to the day counsel must be present for oral argument. The Court convenes at 10 a.m. and each case is usually heard on the date assigned.

2. Counsel scheduled to argue must report to the Lawyers' Lounge between 9:00 and 9:15 a.m. on the day assigned for argument. The Clerk will brief you at that time and provide assistance. Identification cards will be issued to the attorneys authorized to occupy seats at argument tables. Counsel arguing cases *should not* introduce themselves nor introduce co-counsel to the Court at the time of argument. Members of the Court should be addressed by their proper titles—"Chief Justice" or "Justice," as the case may be—and not as "judge."

3. Counsel are expected to take note of time limitations and inquiry should not be made of the Court as to the amount of time remaining. A white light will appear when five minutes remain and a red light when the time has expired. When the Court permits a division of time for argument, the use of more than the agreed time by one attorney does not extend the total time allotted. Counsel should conclude argument promptly when the red light appears unless responding to a question from the Court.

4. During argument counsel should at all times speak into the microphone so that the Justices may hear them and that a clear tape recording can be made. Counsel should also avoid having notes or books touch the microphone since this seriously interferes with the recording process.

5. Counsel in cases to be argued in the afternoon should assemble at the Clerk's desk in the Courtroom when the noon recess begins. An escort will arrange expedited service in the public cafeteria located in the Court building.

6. Appropriate attire for counsel is conservative business dress. If formal attire is worn, it should conform with custom.

WILLIAM K. SUTER, *Clerk.*

## HEARING LIST

**Monday, March 24, 2003**

No. 01–10873. *Khan Phuong Nguyen v. United States, et al.*; and

No. 02–5034. *Tuyet Mai Thi Phan v. United States.*

Certiorari to the C. A. 9th Circuit.

For petitioners: Jeffrey T. Green, Washington, D. C.

For respondents: Patricia A. Millett, Assistant to the Solicitor General, Department of Justice, Washington, D. C.

(Consolidated - 1 hour for argument.)

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No. 02–311. *Kevin Wiggins v. Sewall Smith, Warden, et al.*

Certiorari to the C. A. 4th Circuit.

For petitioner: Donald B. Verrilli, Jr., Washington, D. C.

For respondents: Gary E. Bair, Solicitor General, Baltimore, Md.; and Dan Himmelfarb, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

(1 hour for argument.)

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**Tuesday, March 25, 2003**

No. 02–403. *Federal Election Commission v. Christine Beaumont, et al.*

Certiorari to the C. A. 4th Circuit.

For petitioner: Paul D. Clement, Deputy Solicitor General, Department of Justice, Washington, D. C.

For respondents: James Bopp, Jr., Terre Haute, Ind.

(1 hour for argument.)

**Wednesday, March 26, 2003**

No. 02–94. *William Overton, Director, Michigan Department of Corrections, et al. v. Michelle Bazzetta, et al.*

Certiorari to the C. A. 6th Circuit.

For petitioners: Thomas L. Casey, Michigan Solicitor General, Lansing, Mich.; and Jeffrey A. Lamken, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondents: Deborah LaBelle, Ann Arbor, Mich.

(1 hour for argument.)

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No. 02–102. *John Geddes Lawrence and Tyron Garner v. Texas.*

Certiorari to the C. A. of Texas, Fourteenth District.

For petitioners: Paul M. Smith, Washington, D. C.

For respondent: Charles A. Rosenthal, Jr., District Attorney, Harris County, Houston, Tex.

(1 hour for argument.)

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**Monday, March 31, 2003**

No. 02–281. *Inyo County, California, et al. v. Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, et al.*

Certiorari to the C. A. 9th Circuit.

For petitioners: John D. Kirby, San Diego, Cal.

For United States as *amicus curiae*: Barbara B. McDowell, Assistant to the Solicitor General, Department of Justice, Washington, D. C.

For respondents: Reid Peyton Chambers, Washington, D. C.

(1 hour for argument.)

No. 01-1757. *Marion Reynolds Stogner v. California*.  
Certiorari to the C. A. California, First Appellate  
District.

For petitioner: Roberto Najera, Alternate Deputy De-  
fender, Martinez, Cal.

For respondent: Janet Gaard, Special Assistant Attor-  
ney General, Sacramento, Cal.; and Irving L. Gorn-  
stein, Assistant to the Solicitor General, Department  
of Justice, Washington, D. C. (for United States, as  
*amicus curiae*.)

(1 hour for argument.)

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**Tuesday, April 1, 2003**

No. 02-241. *Barbara Grutter v. Lee Bollinger, et al.*

Certiorari to the C. A. 6th Circuit.

For petitioner: Kirk O. Kolbo, Minneapolis, Minn.; and  
Theodore B. Olson, Solicitor General, Department of  
Justice, Washington, D. C. (for United States, as *ami-  
cus curiae*.)

For respondents: Maureen E. Mahoney, Washington,  
D. C.

(1 hour for argument.)

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No. 02-516. *Jennifer Gratz and Patrick Hamacher v.  
Lee Bollinger, et al.*

Certiorari to the C. A. 4th Circuit.

For petitioners: Kirk O. Kolbo, Minneapolis, Minn.; and  
Theodore B. Olson, Solicitor General, Department of  
Justice, Washington, D. C. (for United States, as *ami-  
cus curiae*.)

For respondents: John Payton, Washington, D. C.

(1 hour for argument.)

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**Wednesday, April 2, 2003**

No. 02-337. *Phillip T. Breuer v. Jim's Concrete of  
Brevard*.

Certiorari to the C. A. 11th Circuit.

For petitioner: Donald E. Pinaud, Jr., Jacksonville, Fla.

For respondent: Andrew S. Hament, Melbourne, Fla.;  
and (motion pending) Lisa S. Blatt, Assistant to the  
Solicitor General, Department of Justice, Washington,  
D. C. (for United States, as *amicus curiae*.)

(1 hour for argument.)

No. 02-428. *Dastar Corporation v. Twentieth Century  
Fox Film Corporation, et al.*

Certiorari to the C. A. 9th Circuit.

For petitioner: David A. Gerber, Oxnard, Cal.; and  
Gregory G. Garre, Assistant to the Solicitor General,  
Department of Justice, Washington, D. C. (for United  
States, as *amicus curiae*.)

For respondents: Dale M. Cendali, New York, N. Y.

(1 hour for argument.)

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